

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.17016 of 2004

Dated:06.11.2006

Between

Pagadala Chinna Koti Reddy

.....Petitioner

and

1.Government of Andhra Pradesh

Irrigation and Command Area Development

Department, Secretariat, Hyderabad

Rep., by its Prl. Secretary and others.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.17016 of 2004

ORDER:

The only grievance of the petitioner is that without conducting any elections to the Water Users Associations, the contracts relevant to the water bodies are being entrusted to third parties. Under law, it is the elected members of the Water Users Associations, who are entitled to be entrusted with works, up to Rs.5,00,000/- whereas the respondents, while postponing the elections, are intending to entrust the works to third parties.

On the basis of para wise remarks, the learned Government Pleader submits that elections to the Water Users Associations in Krishna and Guntur district were completed during January and February, 2006. As such, elections to the Water Users Associations of all major irrigation projects

were completed by February, 2006. Permission for conducting elections to the Distributory Committee is to be given by the Government and then the Commissioner, CAD will give notification for conducting elections to the Distributory Committee. Then, only the District Collector will issue notification for election of the Distributory Committees in his jurisdiction. As such, it is not correct on the part of the petitioner to say that it is obligatory for the District Collector to conduct elections of the Distributory Committee. The Distributory Committee elections were proposed to be held in the first week of May, 2006. However, it was felt necessary to complete training for the office bearers of the Water Users Association, before they take up responsibility of the Distributory Committee and also in view of reforms in the department and also due to election schedule of Panchayat Raj Institutions, Distributory Committee elections were rescheduled. Trainings to the office bearers of Water Users Associations are being conducted. It is further stated that in certain cases discrepancies

were found in delineation of Distributory Committees and review meetings are being conducted on delineation of Distributory Committees. Changes are to be made in the delineation wherever required. All major rivers are in spate of floods and entire machinery is geared up in flood relief. Mean while before conducting the Distributory Committee elections casual vacancies in the Water Users Associations are to be filled up. This would be completed in next two months.

This shows that the respondents are intending to take steps to conduct elections to Distributory committees as early as possible.

In view of the above, without expressing any opinion on merits, the respondents are directed to conduct elections to the Territorial Constituency 221, Kondramutla-II, Epuru Mandal, Guntur District, within a period of three months from the date of receipt of a copy of this order.

Writ petition is disposed of accordingly. No costs.

06-11-2006

rkk